

1 David W. Evans (Bar No. 79466)
2 Pamela B. Shafer (Bar No. 194959)
3 HAIGHT BROWN & BONESTEEL LLP
4 71 Stevenson Street, 20th Floor
5 San Francisco, California 94105-2981
6 Telephone: 415.546.7500
7 Facsimile: 415.546.7505
8
9 Attorneys for Defendant
10 American Modern Home Insurance Company

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 JESUS LOPEZ,
14 Plaintiff,
15 v.
16 AMERICAN MODERN HOME
17 INSURANCE COMPANY and DOES 1
18 TO 100,
19 Defendant.

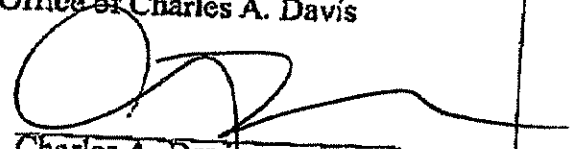
Case No. C 06-07768 CW
STIPULATION AND ORDER CAPPING
DAMAGES AND REMANDING TO
STATE COURT

- 20 The parties hereby stipulate to the following:
- 21 • Plaintiff waives any recovery for any and all damages, including but not limited to
22 special, general and punitive damages, in excess of \$50,000.
 - 23 • The case is to be remanded back to the Superior Court of California, County of
24 Sonoma, Case No. SCV 239736.

25 Dated: January 3, 2007

Law Office of Charles A. Davis

By:


Charles A. Davis
Attorneys for Plaintiff

JAN-03-2007 WED 03:54 PM Haight Brown & Bonesteel

1 Dated: January 3, 2006

HAIGHT BROWN & BONESTEEL LLP

By: Pamela B. Shafer

David W. Evans
Pamela B. Shafer
Attorneys for Defendant American
Modern Home Insurance Company

7 The court, having reviewed the stipulation of the parties, and good cause appearing
8 therefore, rules as follows:

9 IT IS HEREBY ORDERED that:

- 10 • Plaintiff waives any recovery for any and all damages, including but not limited to
11 special, general and punitive damages, in excess of \$50,000.
12 • The case is to be remanded back to the Superior Court of California, County of
13 Sonoma, Case No. SCV 239736..

14 Dated: 1/8/07Claudia Wilken

Judge Claudia Wilken